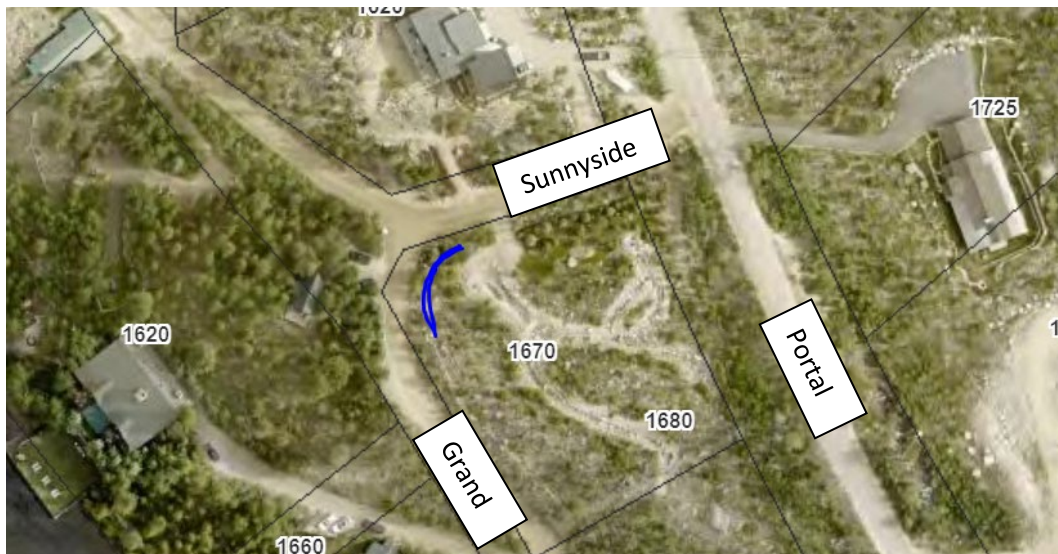




Date: 9/25/2023

To: Mayor Kudron and the Board of Trustees
From: Kimberly White, Community Development Department

Re: Consideration of a Request for a Fence Over the Allowable Eight Foot Height at Cokers Corner Minor Sub also known as 1680 Sunnyside Dr.



Purpose:

Applicant is requesting to build a stone gate and fence section over the allowable eight-foot height, which requires Planning Commission approval per design standards of the municipal code 12-7-4 (E) (4).

Background:

The owner submitted multiple designs for a stone wall with multiple turrets. Staff reviewed the illustrations and determined that it resembled a castle and did not meet the design code section 12-7-4 (E) as it was not in harmony “with the adjacent building architecture and the surrounding natural environment”.

The applicant revised the drawings and resubmitted them without the turrets (figure 1) and based the design on a nearby private fireplace relic (figure 2) and stone wall that is on the adjacent private property (figure 3). Also, the stone topped walls resemble the bridges near the North Inlet trailhead (figure 4). The main stone wall would be 10’ high and connects to the existing 8’ game fence; the height of the wall above the gate itself would be total height of 14’.



The applicant states that the idea here is that it would be patterned after the “ranch” entry gates seen all over the county. See Exhibit A for precedent images from the applicant.

On May 10th, 2021 The Board of Trustees approved Resolution 13-2021, a variance to allow the garden gazebo to be built on the vacant lot at 1680 Sunnyside Dr. without a primary structure being in place. The 8’ gaming fence was also allowed to be placed with a building permit in place, as the fence was made of allowable materials and was not over the allowable 8’ height.

On September 20th, 2023 the Planning Commission heard the request and made a motion to approve (4:0) the stone wall and gate, with a building permit, up to 8’ and not any taller, including the steeples that flank the left and right side of the gate.

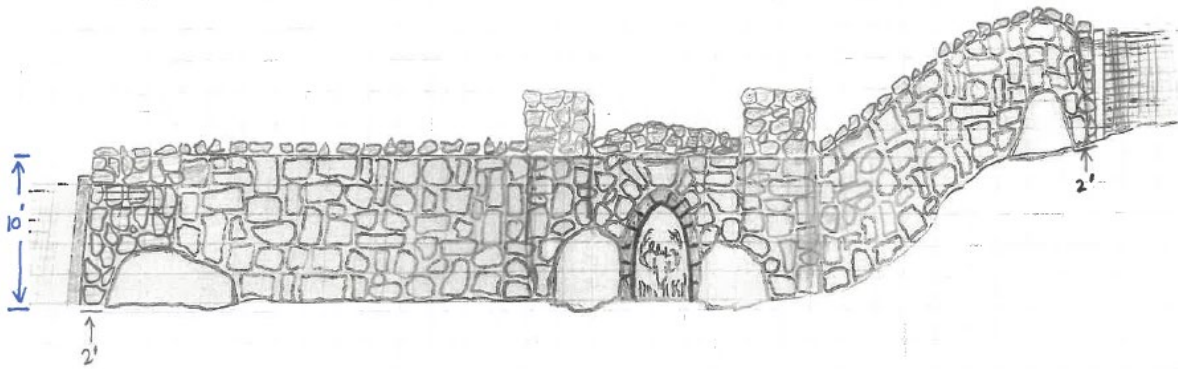


Figure 1

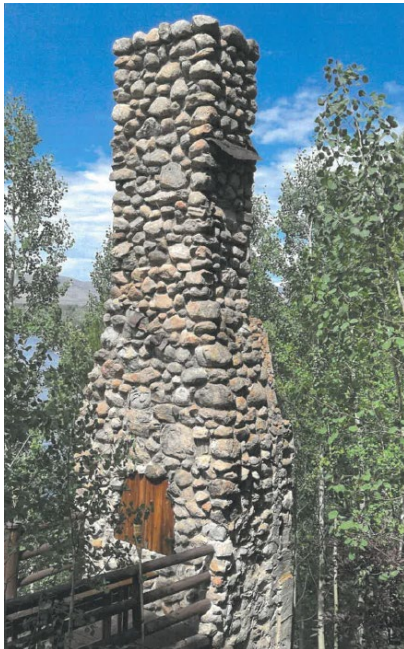


Figure 2



Figure 3



Figure 4



Staff Notes:

The height of the fence is over the allowable 8' height and was reviewed by the planning commission based on the design requirements listed in section 12-7-8 of the Town Municipal Code: specifically scale, massing, and harmony. The Planning Commission, being a recommending body, requires the Board to review their recommendation to not allow the entire wall to be more than eight (8) feet high and for the Board to make a motion. If approved, the applicant must submit a building permit for review and approval by the Town and the County prior to construction of said structure.

Municipal Code:

12-7-4-(E)4. Fences shall be constructed of wood, native or imitation stone in a style and color harmonious with the adjacent building architecture and the surrounding natural environment.

... (a) no chainlink....

(b) Fences over eight (8') feet in height shall be reviewed by the Planning Commission for approval or denial.

Per international residential building code (R105.2), which is adopted by Town code 9-1-2, if a fence is over six feet, it must have a building permit.

12-7-3 Definitions

Human Scale: A reasonable size and shape for an average person to use. is the proportion of space in relation to human dimension. It is an important unit of measure for different parts of the building, while keeping in mind who will use each space. Define spaces according to human measurements. Elements should be scaled to human physical capabilities. Avoid monumental scale, oversized spaces, and extremely large distances.

12-7-8 Design Review Procedures and Submission Requirements.

- (B) Design review approval will be based on how the proposal integrates with the local and immediate context. Review of proposed plans, materials, and colors will consider both the positive and negative impacts on the surrounding buildings and adjacent spaces and natural environment. Consideration factors shall include:
1. The proposal's consideration to the local and immediate context of the existing buildings, the natural environment, historical aspects and the local community culture. Determination will be based on the design elements listed herein as well as:
 - (a) The proposal's overall harmony with adjacent buildings, open and public spaces.
 - (b) Any graphic design that might interfere with public safety or does not add to or enhance the aesthetic value of the Town of Grand Lake will be denied.
 2. The elemental design tools of composition, proportion, scale, and rhythm are important elements for achieving a balance between unity and complexity in design. These tools may be used to improve the limitations of architectural style and to achieve buildings with more timeless visual assets. Each of these design tools will be applied to the materials, surfaces, massing and



street wall (if applicable) of buildings to better indicate use, visual interest, and creation of a more appropriate balance with human scale. Design Elements include:

- (a) Scale- the proportion used to determine the relationships and harmony between different elements (existing surroundings including buildings and natural elements, to better define heights and widths and depth).
- (b) Composition- the organization of parts (including non-built spaces) of a project to achieve a unified whole.
- (c) Proportion- the relationship of one (1) part to another or to the whole.
- (d) Rhythm- the relative variation of regular and repetitive elements (how surface materials begin and end and how a switch from one (1) material to another occurs).

Recommended Motions:

The Board has the following options:

1. Board motions to instruct staff to draft a resolution to approve the request to allow the fence gate and wall at the height of 10-14' height.

or

2. Board motions to allow the request with the following conditions

_____.

or

3. Motion to Deny

Below are exhibits submitted by the applicant for consideration of this request.

Exhibit A: MA Studio rendering of proposed gate with human standing nearby for scale.

Exhibit B: Adjacent property as seen from public ROW

Exhibit C: Images of relics of foundation walls and stone theme that are used for architectural reference.

Exhibit D: Images of relics of foundation walls on adjacent private property on a hill side with heights

Exhibit E: Materials that will be used for the wall.